

*László Kovács*

## The Future Role of the OSCE in the European Security Architecture

The 5th and 6th of December 1994 were important days in the history of Hungarian diplomacy: for those two days, as the Heads of State or Government of the participating States in the Conference on Security and Cooperation in Europe were our guests, Budapest became the political capital of Europe and North America and Hungary took over the Chairmanship of the OSCE (as the Organization has been called since that time) for one year from Italy.

This responsibility put the spotlight on Hungarian diplomacy just at the time when the Organization itself became a center of interest.

The CSCE, which during the first two decades of its existence had made an effective contribution first to the erosion and then the dissolution of the totalitarian regimes in Eastern Europe and had done a lot to promote democracy in those countries, found itself, along with other international organizations, confronted with another test at the beginning of the nineties. As a result of those historic upheavals, the security profile of Europe has changed in fundamental ways. The end of conflict between the blocs and the fall of the Wall (and with it the end of an artificial division) were accompanied by the arrival of new and mostly unknown problems and the recurrence of old ones that had been repressed for decades. The euphoria over the fall of the Wall dissipated quickly and in recent years the peoples of Europe have had to face numerous problems and new challenges including, for the first time in post-war history, a devastating war in the southern Slavic area.

For the CSCE, which had functioned successfully during the period of the Cold War, this meant moving beyond its traditional role of laying down the basic principles of European cooperation and setting norms for common European values. In adapting itself to changing requirements, it had to take on the operative capabilities it needed to come to terms with the new challenges. It is my view that giving the position of Chairman-in-Office to Hungary in this situation was symbolic in a number of respects. For one thing, it was an acknowledgement of the process which had made Hungary, owing to its democratic transformation and its responsible foreign policy, a full-fledged member of democratic Europe. For another, it gave us the opportunity to demonstrate, both to our partners and to the Hungarian public, that Hungary can and will meet the highest standards of Euro-Atlantic cooperation and represent the Organization, as well as the common values and interests, effectively.

Every participating State must respect the basic principles and norms of the OSCE. Every country must contribute, according to its size and ability, to the joint efforts aimed at putting these norms into practice. But the institution of the Chairman-in-Office meant substantially more to us. During the whole period of our Chairmanship, we construed this responsibility as involving substantially more responsibilities than rights. The Chairman must welcome and support all initiatives and endeavors which are based on the common values set forth in OSCE documents and seek to further their implementation. Our situation was made easier by the fact that the expectations directed at the country holding the Chairmanship as well as the representation of the OSCE's main objectives were in accord with Hungary's own goals in foreign and security policy. Indeed, the OSCE expressly supported realization of our objectives.

### *The OSCE as a Security Organization*

One of the OSCE's biggest problems is that it is not sufficiently known to the public as a security organization and that political decision makers do not seriously regard it as an option when they are preparing their decisions. That is in large part explained by the fact that the OSCE only started in recent years to transform itself from an international conference into a security organization which is capable of carrying out operational tasks. I regard it as an important result of the Hungarian Chairmanship that the OSCE has become better known through its numerous concrete actions. One obvious expression of this is the Dayton Agreement through which the Organization assumed important responsibilities in the areas of elections, human rights and arms control. Growing awareness of the OSCE in Hungary, both among the public and in political life, made it possible for us to view the process of Euro-Atlantic integration, which enjoys priority in our foreign policy, not from an isolated standpoint but in substantively and geographically expanded terms and, I believe, in a more responsible fashion.

A fundamental condition for fulfilling the responsibilities of the Chairman-in-Office is to believe firmly in the OSCE - to believe that the Organization can make an effective contribution to the strengthening of European security and stability. To do that, one must be familiar with the capabilities and the comparative advantages of the Organization; but it is at least equally as important to know its limits. By that I mean both the temporary limits, which depend on the development of the Organization and the changes it undergoes, and the "permanent" limits, which emerge from the fact that there are certain capabilities that the OSCE does not possess now and probably will

not acquire in the future - partly because of its fundamental character which we wish to retain and partly because there are other organizations with capabilities in the relevant areas which it would be not only senseless but counter-productive to duplicate or "reinvent". I am convinced that the solution here is to strengthen real, practical cooperation between international organizations and to optimize the division of labor. The long series of (no doubt instructive) mistakes that have been made in the course of the international community's efforts to get control of the Bosnia conflict demonstrates how catastrophic the consequences can be when actors on the international stage - states and organizations - are not capable of working together, hand in hand; at the same time, however, it shows what can be accomplished when the necessary determination and willingness to cooperate can be secured.

It is a generally valid rule that any organization can only be as effective as its members allow. No matter how impressive the instruments and mechanisms that an organization works out, it remains clear that there is no substitute for a common political will to act.

The special capabilities of the OSCE and its unique and apparently durable features, such as its two-fold comprehensiveness and the sovereign equality of its members, along with its relative flexibility and unbureaucratic structure, are the characteristics which particularly suit the Organization to carrying out certain tasks.

It is my conviction - and the experiences of the Hungarian Chairmanship only reinforced this view - that important responsibilities will fall upon the OSCE in connection with the developing European security architecture. I believe this despite the fact that international organizations have suffered considerable damage to their reputation and public image in recent years, primarily because of their inactivity during the Yugoslavia crisis. The Dayton Peace Agreement and the cooperation between international organizations and individual countries it made possible, leading to a kind of synergy of efforts, surely mark the beginning of a new era - which at the same time demonstrates that the idea of "mutually reinforcing institutions" is workable.

Recent times have demonstrated more than once through terrible tragedies that the concept of security under today's circumstances can only be interpreted comprehensively and must be expanded to cover all aspects of security. Past events have also confirmed the notion of the indivisibility of security: even if not immediately and directly, sooner or later every crisis affects the security of all European countries, including those far away from the center of the problem. It is obvious that the security and stability of the continent cannot be guaranteed by a single organization or a single country. Only a pan-European security architecture resting on the concept of cooperative security and supported by a number of pillars can offer an effective solution. It could, in my view, be made up of the following elements:

- Those European and trans-Atlantic organizations which spread stability: NATO, the European Union, the WEU and the Council of Europe. The adaptation of these institutions, retaining their basic functions while expanding them in a way which does not arouse a sense of isolation and hence of alienation on the part of those who remain outside, or does this to the least degree possible.
- The OSCE as the only security structure which is both geographically and thematically comprehensive and which, along with its continuing importance in norm-setting, also has a wide range of capabilities in preventive diplomacy and in crisis management. The OSCE is one of the "mutually reinforcing institutions"; it can bring its comparative advantages to bear most effectively through close cooperation with other security organizations, on the basis of equality and free of any hierarchical relationships.
- The dialogue on security policy and cooperation between integrative European and/or trans-Atlantic structures and those countries which for the time being, whether short or long, remain outside these organizations: the best example of this cooperation is the Partnership for Peace program.
- Various forms of regional or sub-regional cooperation (e.g. CEFTA, CEI) which carry on their activities in certain areas and in accordance with shared European norms.
- Bilateral and multilateral agreements on the most various aspects of security, ranging from military confidence-building to agreements already concluded or to be concluded in the future in connection with the Pact on Stability in Europe.
- The system of bilateral relations involves an increasingly dense network of cooperation, from the development of good-neighborly relations to various forms of cooperation in border areas and involving all areas of inter-state relations (economics, culture, protection of the environment).
- A fundamental element of the security architecture is the state which is committed to the values of pluralistic, parliamentary democracy, the rule of law, human rights and the free market economy. Thus the internal stability of a country, although it often goes unmentioned or is treated as a separate question, is an essential building-block in the security architecture.

On the basis of its special capabilities and comparative advantages, the OSCE must play a significant role in this security system, particularly in three important fields:

1. The first responsibility is related to its traditional norm-setting role. This includes working out norms based on shared democratic values which determine the rules of conduct between and within states but also, and in particular, substantially strengthening and modifying the mechanisms which make it possible to monitor the observance and implementation of these norms. In this area a change of emphasis can be observed involving efforts to implement the many jointly assumed commitments - to support and, where necessary, enforce such implementation. One specific field of OSCE activity, which is at the same time an indispensable and integral part of conflict prevention and settlement, is the continuation of the arms control process with respect to conventional armed forces in Europe - an area in which the OSCE has acquired extraordinary experience and specialized knowledge.
2. The second task involves early warning, prevention, resolution and elimination of the consequences of crises in the OSCE region, as a part of international efforts to conflict prevention and settlement - an area in which the capabilities and limits of the OSCE must be evaluated realistically. These are without doubt the functions of the Organization which are today most in the limelight. Successes and failures in these activities have an important influence on public opinion and policy toward the OSCE. Although we know that the efforts are justified, we must also emphasize that the OSCE can only offer its assistance in these areas. It is not in a position to solve the problems for the directly affected parties. What is of fundamental importance, along with the willingness of the conflicting parties to cooperate, is that the governments of countries in a position to exert direct or indirect influence on the region of crisis should be willing, in the interest of prevention and effective handling of the conflict, to commit sufficient political and economic capital and, when necessary, to involve themselves militarily.
3. The OSCE's third responsibility, which it shares with other fora and structures for cooperation (e.g. the Partnership for Peace), is to serve as an organizational framework for those European states which for the foreseeable future will not belong or do not wish to belong to any of the integrative Euro-Atlantic organizations such as NATO, the EU or the WEU. The common objective is to create for the continuously developing European security architecture a common security region which will in the final analysis ensure greater security as well as more stable and predictable surroundings for all participating States. In my view this process is moving ahead well owing to the way in which the Euro-Atlantic organizations have adapted themselves to common interests (with significant results which can already be seen, e.g. the IFOR mission in Bosnia under NATO leadership), to the enlargement process which has

begun as a result of this adaptation, and to the close cooperation on various levels resulting from a sense of stability spreading toward the East.

The experience garnered from cooperation between Euro-Atlantic organizations and individual countries in Bosnia has introduced a new phase in the development of Europe's security architecture and its common security space and will probably do more than all past confidence-building measures to break down a static way of thinking and eliminate the wrong approaches based on earlier concepts and perceptions. We can see that as a result of these positive experiences, old differences are disappearing and new forms of cooperation developing which tie countries more closely together. In the continuation of the discussions on the Security Model for the next Century, begun at the Budapest Summit in 1994, they will certainly play an important role.

#### *The Hungarian Chairmanship and the Reform of the OSCE*

The institutional structures of today's OSCE, along with its instruments and mechanisms, have a very brief history and their mandate at the time of founding was described only in general terms. As a consequence, their functions and areas of applicability have developed "under way", in the course of daily operations and in accordance with the requirements of practice. During the year of the Hungarian Chairmanship we regarded the strengthening of operational activities and the enhancement of the Organization's effectiveness and general relevance as particularly important goals. And the Organization really did change significantly under our chairmanship. I would like to emphasize the following aspects:

- In 1995 the OSCE opened offices in numerous crisis areas and contributed directly to the settlement of a number of problems. The new missions and other forms of involvement not only brought a quantitative increase in such activities by the Organization but opened up new qualitative opportunities for the OSCE. The following ones should be mentioned:

The establishment of the OSCE Assistance Group in Chechnya meant that for the first time a large international organization could set up a long-term presence in Russia and was in a position to counsel and mediate there on an issue which not only Moscow but many OSCE countries had for decades regarded as being exclusively an internal affair; some still regard it as such. It was clear from the very beginning of the conflict that it would achieve nothing simply to put Russia in the dock and

condemn the massive human rights violations because such a course would not have brought the parties to the negotiating table but would surely have eliminated any possibility of international involvement in the resolution of the conflict. In that way, the OSCE would have been indirectly responsible for prolonging the conflict and, with it, the violations of human rights. There was, moreover, the danger of a big international crisis developing which in time would have undermined the security of Europe and moved Russia away from the path of democratization and integration in European security systems. Based on these considerations, we wanted to find a solution which would, on the one hand, make possible a step-by-step involvement of the OSCE and, hence, the international community in finding a solution to the crisis and, on the other hand, make clear to Russia that toleration of the OSCE's presence and mediation was more advantageous for Russia itself than isolation and confrontation would have been. Once the Russian political leadership accepted this concept, the OSCE was in a position to work actively to protect human rights and provide humanitarian assistance and later to participate in the organization and implementation of negotiations on an armistice and a political solution of the conflict. This is particularly important even though the negotiations were broken off last fall and the carrying out of the military agreement began at the same time to falter.

The other new feature of fundamental significance in the activity of the OSCE is unquestionably the group of responsibilities assigned to the Organization by the Dayton Agreement, which put an end to the war in Bosnia. OSCE was given tasks of central importance in the preparation and carrying out of elections, promoting and monitoring respect for human rights, and in the military stabilization of the region. These responsibilities represent the biggest challenge the OSCE has faced in its history. Although there are many problems associated with the implementation of the Dayton Agreement and the region will presumably remain unstable and insecure for some time, it is already clear that the OSCE has done its best, within the limits of its capabilities, to carry out the assigned mission. The next big test for the OSCE and for the implementation of the Dayton Agreement will undoubtedly be the carrying out of elections on 14 September. At the beginning of 1995, long before the Dayton Agreement was signed, I had the opportunity as my first official act to designate the ombudsmen and -women of the Federation in Sarajevo. This institution, which has functioned very effectively to protect human rights in Bosnia since that time, has become a model which the OSCE and its participating States are attempting to use in other areas as well.

- Traditionally, the OSCE has often been heavily criticized for its slow and laborious decision-making process, resting on the consensus principle. Some of this criticism is justified, some not. I am convinced that the consensual approach to decisions should be retained in some areas, e.g. in working out norms and commitments. In these areas, the consensus procedure is more a strength than a weakness of the OSCE because it substantially increases the likelihood that the decisions taken and the commitments assumed will in fact be implemented. Nevertheless, I think it is also true that the area of application of "consensus minus one" (or "consensus minus the affected parties") should be expanded in cases where there have been gross violations of principles and commitments assumed by the participating States, precisely in order to protect common European values and the effectiveness of the Organization. This rule, based on an initiative of retired Foreign Minister Hans-Dietrich Genscher, has existed for years and has long been supported by Hungary.

There has been talk of enlarging the executive competences of the Chairman-in-Office in the interest of the OSCE's ability to act quickly. This actually completely new instrument in the history of the OSCE, is one which we significantly developed during the Hungarian Chairmanship, making frequent use of the options it offered.

- During the year of the Hungarian Chairmanship we made increasing use of the executive authority of the Chairman, at the same time strengthening the institution of the Troika and expanding its field of action. Apart from the established political bodies of the OSCE, the Chairman-in-Office and the Troika are the only institutions with political weight and standing. Their competences were never clearly defined, however, so that the actual authority of these institutions works itself out in combination with the participating States on the basis of a kind of "right of precedence". This also means that the Chairman's willingness to take initiatives largely determines the direction and tempo in which his own competences and those of the Troika develop.

My experience has shown that the executive competence of the Chairman-in-Office can be, on the one hand, of great assistance because it offers a way of circumventing consensual decision-making, which is often laborious and sometimes impossible; on the other hand, it entails substantial risks and only under the right circumstances is it appropriate to make use of this authority. The country which provides the Chairman must be prepared to play a leading and coordinative role; it must accept the responsibility which goes with that, along with the risks, and if necessary even enter into confrontations - on occasion when its national interests do not clearly call for such (or may even, for a time, argue against it). In principle, it is up to the Chairman and his staff to judge whether a step he plans in the name of the OSCE community enjoys the support of a substantial majority of the participating States or whether it



would seriously violate certain interests. At the same time it is vital for the participating States to express in some way their political willingness to provide support after the measure has been carried out, so that it will be clear that the Chairman's action really enjoys the agreement of a majority. It is helpful if those countries which have greater influence in the affected region are also prepared to use their reputation and their influence on a bilateral basis, as an expression of their agreement. The events of the past year have shown that in the area of preventing crises a high level of operational skill and flexibility is called for and that the rapid involvement of the Chairman can be of decisive importance.

Precisely for that reason it is important that the Chairman-in-Office choose the right instruments and use them at the right time. Thus, in urgent and unpredictable situations the most appropriate measure may be, for example, the dispatch of a Personal Representative with a fairly broad mandate; later, on the basis of his experiences and after consensus has been reached amongst the participating States, a mission with substantially more concrete competences can be sent to continue fact-finding and carry on the negotiations.

An important characteristic of the office of the Chairman is that it does not affect the Foreign Minister of the providing country or a narrow group of diplomats alone but, indirectly, a whole country. The Chairman-in-Office can only fulfill the expectations attached to his job if the whole diplomatic service of his country is willing and able to view all questions for an entire year *inter alia* through the "lenses" of the OSCE and if his diplomatic missions represent not only their own national interests but also those of the OSCE. Indeed, the conduct of the Chairman's office, in the broadest sense, goes beyond the apparatus of the Foreign Ministry. Quite apart from the good diplomatic services of the country in question, what goes on inside that country must also provide a basis and credibility for his work.

- Faced with developments which caused particular concern or in anticipation of events or negotiations where our experience told us we could make a positive contribution to solving a problem, it was our practice during our Chairmanship to issue numerous statements (on the arrests in Kosovo, the processes in the Sandjak, the illegal elections in the Trans-Dniester region, the withdrawal of the Russian 14th Army from Moldova, the military action in Western Slavonia, the terrorist acts in Chechnya and on conflict management in Nagorno-Karabakh). Their purpose was to give rapid expression to the OSCE's concerns over these developments and to demonstrate the attention being given to them. Although their importance should not be exaggerated, these statements did make it possible for the OSCE to react quickly and to be among the first to so react.

- Several times during the Hungarian Chairmanship we made use of the option to send Personal Representatives (to Chechnya, Croatia, Nagorno-Karabakh, etc.).

This enabled us, on the basis of talks carried out rapidly and directly with the concerned parties, to keep the OSCE community informed on events and to work out recommendations and proposals for solving those problems at the earliest possible time.

- We made an effort to carry out the intention, expressed for years in OSCE documents, to establish closer contacts with other European and trans-Atlantic organizations. Thus we were at pains to carry on a regular dialogue with those international organizations which play a role in shaping European security. For example, we invited representatives of these organizations to a number of working discussions. In addition to the OSCE Mission to Bosnia, which was started up during the Hungarian Chairmanship and did in fact lead to greater cooperation between international organizations than had existed previously, we tried in other areas to establish closer ties of practical cooperation with the UN, the Council of Europe, NATO and the WEU.

- Since its "birth" the OSCE has been known as an institution which is open to the public and to non-governmental organizations. In recent years there have been numerous efforts to tie the NGOs more directly into the work of the OSCE but concrete arrangements for such participation have not yet been established. Thus it was viewed as a novelty when we invited well-known international NGOs (Human Rights Watch, International Helsinki Federation) and national ones (SDA from Sandjak) to informal discussions of OSCE political bodies.

### *Conclusions*

In past years the OSCE has gone through a great change. It was transformed from a "travelling conference" into a security organization with certain operational responsibilities which, by promoting respect for common values, can make an effective contribution to the democratic development of participating States and to enlarging the field of cooperation on all aspects of security. Its comprehensive and integrative character make it suitable as a basis for creating a security space that will guarantee greater security and stability for all participating States. The OSCE has already demonstrated its ability to make a useful contribution to the security of the continent, not only during the years of the Cold War but also under the fundamentally different conditions that have prevailed since. Its precise position and role in the architecture of European security which is slowly taking form will of course depend not only on its own internal development but on other factors as well - on the way in which other elements of that security structure develop and on the kind of relationship that grows up between them.

But it is already clear that the OSCE, which must maintain its comparative advantages and specific capabilities and develop in a way consistent with them, will be a useful part of the security architecture of the future. Looking at the future, the success of the OSCE Mission to Bosnia and the appropriate use of the experience gathered there will certainly be of decisive importance in determining the Organization's position. As the OSCE comes to terms with the serious challenges it faces, the responsibility of the Chairman-in-Office at any given time will grow. As for 1996 and the first half of the Swiss Chairmanship, we can only congratulate our Swiss friends on the results so far achieved. I wish them a similar success in completing the tasks that remain for the second half year.